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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10
11 UNITED STATES OF AMERICA,) CASE NO. MAG - 01-224-GGH
12 Plaintiff,)
13 v.) MOTION TO DISMISS CRIMINAL
14 EVAN THEODORE SMITH PRYOR,) COMPLAINT AND WARRANT FOR
15 Defendant.) ARREST FOR EVAN THEODORE SMITH
16) PRYOR; ORDER THEREON
17 _____)

18 Pursuant to Rule 48 of the Federal Rules of Criminal Procedure,
19 the United States of America, by and through its undersigned counsel,
20 hereby moves the Court, in the interest of justice, for an order
21 dismissing without prejudice the criminal complaint and warrant for
22 arrest for Evan Theodore Smith Pryor.

23 A complaint charging Pryor and others with conspiracy to commit
24 mail and wire fraud was filed over ten years ago, on approximately
25 November 7, 2001. A no-bail warrant was issued for Pryor's arrest.
26 Pryor was one of several defendants charged with crimes emanating
27 from the Tri-West Investment Club, an Internet-based investment fraud
28 scheme, which resulted in the conviction of Alyn Waage, Cary Alyn

1 Waage, Michael Webb, and Keith Nordick. Pryor has never been
2 apprehended.

3 Dated: April 25, 2012

4 BENJAMIN B. WAGNER
5 United States Attorney

6 By, /s/ John K. Vincent
7 JOHN K. VINCENT
8 Assistant U.S. Attorney

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10 O R D E R

11 Based on the motion of the government, and GOOD CAUSE APPEARING
12 THEREFORE, the Court hereby orders that the complaint and arrest
13 warrant filed against Evan Theodore Smith Pryor are hereby dismissed
14 without prejudice.

15 IT IS SO ORDERED.

16 Dated: April 25, 2012

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19 
20 KENDALL J. NEWMAN
21 UNITED STATES MAGISTRATE JUDGE